

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE DISTRICT COUNCIL NO. 9,
PAINTING INDUSTRY INSURANCE FUND and
TRUSTEES OF THE DISTRICT COUNCIL NO. 9
PAINTING INDUSTRY ANNUITY FUND and
DISTRICT COUNCIL NO 9 INTERNATIONAL
UNION OF PAINTERS AND ALLIED TRADES,
A.F.L.-C.I.O.

Petitioner,

- v -

DRYWALL & ACOUSTICS OF N.E., INC. A/K/A
DRYWALL & ACOUSTICS OF NORTHEAST, INC.,

Respondent.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/19/21

21 Civ. 5632 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

In accordance with the Court's Order, dated August 16, 2021, Petitioners' counsel, Ms. Kugiekska, submitted an affirmation for attorneys' fees and costs, along with supporting records. (See "Aff.," Dkt. No. 12.) Ms. Kugiekska affirms that she expended nine hours of work in connection with the Petition and billed at a rate of \$300 per hour. (See Aff. at 3-4.) Ms. Kugiekska also affirms that Petitioners incurred \$550 in costs for the filing fee paid to the Clerk of the Court and the fee paid to the Secretary of State in connection with service of the Petition. (See Aff. at 2.)

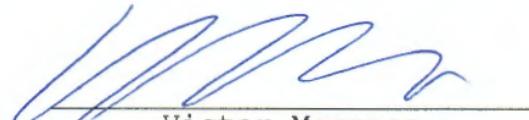
The Court finds that the award of attorneys' fees and costs is reasonable and appropriate. Drywall & Acoustics of N.E., Inc. has not appeared in this case and has not attempted

to oppose an award of attorneys' fees and costs. Courts "have routinely awarded attorney[']s fees in cases where a party merely refuses to abide by an arbitrator's award without challenging or seeking to vacate it through a motion to the court." Trustees of N.Y.C. Dist. Council of Carpenters Pension Fund v. Jaidan Indus. Inc., No. 20 Civ. 7008, 2021 WL 4459231, at *3 (S.D.N.Y. Sept. 29, 2021) (alteration in original).

For these reasons, Drywall & Acoustics of N.E., Inc. is ordered to pay \$2,700 in attorneys' fees and \$550 in costs arising from the Petition.

SO ORDERED.

Dated: October 19, 2021
New York, New York



Victor Marrero
U.S.D.J.